

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPEAL BRIEF FOR THE APPELLANT

Ex parte Serge HAUMONT

SELECTING GGSN IN SHARED MOBILE NETWORK

Serial No. 10/500,874
Confirmation No. 1172
Appeal No.:
Group Art Unit: 2617

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In re the Appellant:

Serge HAUMONT

Appeal No.:

Serial Number: 10/500,874

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Filed: July 7, 2004

Examiner: BRANDT, CHRISTOPHER M.

Confirmation No. 1172

For: SELECTING GGSN IN SHARED MOBILE NETWORK

BRIEF ON APPEAL

December 15, 2009

This is an appeal from the final rejection set forth in an Official Action dated May 18, 2009 ("Final Office Action"), finally rejecting claims 1-2, and 4-29 (incorrectly referred to as claims 1-2 and 4-26 in the Final Office Action), all of the claims pending in this application, as being unpatentable over Stille et al. (U.S. Patent Application Publication No. 2002/0128028) ("Stille") in view of Anderson et al. (U.S. Patent No. 6,148,198) ("Anderson"). A response to the Final Office Action was timely filed on August 18, 2009 ("the Response"). An Advisory Action was mailed on August 31, 2009, maintaining the above rejections and providing brief further comments regarding the Response. A Notice of Appeal, Pre-Appeal Brief Request for Review, and Petition for Extension of Time were timely filed on September 18, 2009. A Notice of Panel Decision from Pre-Appeal Brief Request for Review was mailed November 16, 2009, permitting the appeal to continue.

This Appeal Brief is being timely filed.

I. REAL PARTY IN INTEREST

The real party in interest in this application is Nokia Corporation of Espoo, Finland, by virtue of an Assignment by the inventor, which assignment was recorded at Reel 016109, Frame 0322, on December 28, 2004.

II. STATEMENT OF RELATED APPEALS AND INTERFERENCES

There are no known related appeals and/or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-2 and 4-29, all of the claims pending in the present application are the subject of this appeal. Claims 1-2 and 4-29 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stille in view of Anderson. Claim 3 was previously cancelled by Appellants.

IV. STATUS OF AMENDMENTS

All of claims 1-2 and 4-29 stand as they were previously presented prior to the Final Office Action. No amendments were made after the final rejection. Thus, claims 1-2 and 4-29 are pending, and the rejections of claims 1-2 and 4-29 are appealed. A Response was filed on August 18, 2009, and was entered, but the Response did not

include any amendments to the claims.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1, upon which claims 2, 4, and 23 are dependent, recites a method, which includes maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node. (Specification at least at page 5, line 28 – page 6, line 18, and page 7, lines 3-17, Figures 1 and 2). The method further includes selecting a gateway network node for a mobile station served by the serving network node on the basis of the partner information. (Specification at least at page 5, line 28 – page 6, line 18, and page 7, line 18 – page 8, line 5, Figures 1 and 2). The selecting of the gateway network node for the mobile station on the basis of the partner information includes checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of a home network (Specification at least at page 7, lines 3-17, Figure 2), and selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 18-30, Figure 2).

Claim 5, upon which claims 6-14 and 24 are dependent, recites a system (Specification at least at page 3, line 32 – page 4, line 8, Figure 1), which includes at least one mobile station (Specification at least at page 3, line 32 – page 4, line 8, Figure 1, “MS1,” “MS2”). The system further includes a subscriber register configured to maintain subscriber information of the mobile station. (Specification at least at page 5,

lines 14-21, Figure 1, "HLR1," "HLR2"). The system further includes at least two networks to which the mobile station connects when the mobile station is within the area of the network (Specification at least at page 4, lines 6-8 and page 5, lines 30-32, Figure 1, "PLMN1," "PLMN2"), one of the networks being a home network of the mobile station (Specification at least at page 5, lines 30-31, Figure 1, "PLMN1"), the networks including at least one gateway network node to interact between packet switched mobile networks and external data networks (Specification at least at page 4, lines 25-29, and page 5, lines 1-7, Figure 1, "GGSN1," "GGSN2"). The system further includes at least one serving network node configured to serve the mobile station while the mobile station is in the area of the serving network node. (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"). The system is configured to maintain partner information about networks that are predefined partner networks of the home network, the home network sharing at least one serving network node with each of the predefined partner networks. (Specification at least at page 5, line 28 – page 6, line 18, and page 7, lines 3-17, Figures 1 and 2). The system is further configured to check, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 3-17, Figure 2), and select, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 18-30, Figure 2).

Claim 15, upon which claims 25-26 are dependent, recites an apparatus (Specification at least at page 5, lines 14-21, Figure 1, "HLR1," "HLR2"), which includes

a first routine configured to maintain partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 5, lines 28-30, Figures 1 and 2), where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"). The apparatus further includes a second routine configured to check the partner information of the mobile station. (Specification at least at page 8, lines 32-34, and page 9, lines 33-36, Figures 3 and 4). The apparatus further includes a third routine configured to indicate, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. (Specification at least at page 8, lines 34-36, and page 9, line 36 – page 10, line 6, Figures 3 and 4). The apparatus further includes a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2). The apparatus further includes an indicator configured to indicate the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2).

Claim 16, upon which claims 17-18 are dependent, recites an apparatus (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"), which includes a first routine configured to check partner information about networks that are predefined partner networks of a network, the partner network and a home network

sharing the apparatus (Specification at least at page 7, lines 3-5, 12-20, Figure 2). The apparatus further includes a second routine configured to select a gateway network node on the basis of the partner information. (Specification at least at page 7, lines 21-24, Figure 2). The apparatus further includes a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2). The apparatus further includes a selector configured to select the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2).

Claim 19 recites an apparatus (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"), which includes partner information checking means for checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing the apparatus (Specification at least at page 7, lines 3-5, 12-20, Figure 2). The apparatus further includes selecting means for selecting a gateway network node on the basis of the partner information. (Specification at least at page 7, lines 21-24, Figure 2). The apparatus further includes checking means for checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2). The apparatus further includes predefined partner network selecting means for selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2).

Claim 20 recites an apparatus (Specification at least at page 5, lines 14-21, Figure 1, "HLR1," "HLR2"), which includes maintaining means for maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 5, lines 28-30, Figures 1 and 2), where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"). The apparatus further includes partner information checking means for checking the partner information of the mobile station. (Specification at least at page 8, lines 32-34, and page 4, lines 33-36, Figures 3 and 4). The apparatus further includes gateway network node indicating means for indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. (Specification at least at page 8, lines 34-36, and page 9, line 36 – page 10, line 6, Figures 3 and 4). The apparatus further includes checking means for checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2). The apparatus further includes predefined partner network indicating means for indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2).

Claim 21 recites a method, which includes checking partner information about networks that are predefined partner networks of a network, a partner network and a

home network sharing at least one serving network node. (Specification at least at page 7, lines 3-5, 12-20, Figure 2). The method further includes selecting a gateway network node on the basis of the partner information. (Specification at least at page 7, lines 21-24, Figure 2). The method further includes checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2). The method further includes selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2).

Claim 22 recites a method, which includes maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 5, lines 28-30, Figures 1 and 2), where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"). The method further includes checking the partner information of the mobile station. (Specification at least at page 8, lines 32-34, and page 4, lines 33-36, Figures 3 and 4). The method further includes indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. (Specification at least at page 8, lines 34-36, and page 9, line 36 – page 10, line 6, Figures 3 and 4). The method further includes checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a

predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2). The method further includes indicating, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2).

Claim 27 recites a computer program product which includes a computer program embodied on a computer readable medium. (Specification at least at page 6, lines 12-18). The computer program is configured to cause, if the program is executed, an apparatus to perform at least, maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node (Specification at least at page 5, line 28 – page 6, line 18, and page 7, lines 3-17, Figures 1 and 2), and selecting a gateway network node for a mobile station served by the serving network node on the basis of the partner information (Specification at least at page 5, line 28 – page 6, line 18, and page 7, line 18 – page 8, line 5, Figures 1 and 2). The selecting of the gateway network node for the mobile station on the basis of the partner information includes checking on the basis of the partner information whether a mobile station is in a predefined partner network of a home network (Specification at least at page 7, lines 3 -17, Figure 2), and selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 18-30, Figure 2).

Claim 28 recites a computer program product which includes a computer program embodied on a computer readable medium. (Specification at least at page 6, lines 12-18). The computer program is configured to cause, if the program is executed, an

apparatus to perform at least, checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 7, lines 3-5, 12-20, Figure 2), selecting a gateway network node on the basis of the partner information (Specification at least at page 7, lines 21-24, Figure 2), checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 24-30, Figure 2), and selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 24-30, Figure 2).

Claim 29 recites a computer program product which includes a computer program embodied on a computer readable medium. (Specification at least at page 6, lines 12-18). The computer program is configured to cause, if the program is executed, an apparatus to perform at least, maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 5, lines 28-30, Figures 1 and 2), where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node (Specification at least at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"), checking the partner information of the mobile station (Specification at least at page 8, lines 32-34, and page 4, lines 33-36, Figures 3 and 4), indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station (Specification at least at page 8, lines 34-36, and page 9, line 36 –

page 10, line 6, Figures 3 and 4), checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 3-17, Figure 2), and indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed on appeal are the rejection of claims 1-2 and 4-29 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stille in view of Anderson. As will be discussed below, this rejection is in error, and claims 1-2 and 4-29 should all be found to meet the U.S. requirements for patentability under 35 U.S.C. § 103.

VII. APPELLANT'S ARGUMENTS

Appellants respectfully submit that each of the pending claims 1-2 and 4-29 recites patentable subject matter that is not taught, disclosed, or suggested by the cited art. Each of the claims is being argued separately, and thus, each of the claims stands or falls alone.

In the Final Office Action, claims 1-2 and 4-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stille in view of Anderson. Appellants submit that each of claims 1-2 and 4-29 recite subject matter that is not obvious in light of Stille and Anderson, and as such, the Board's reversal of the rejection is respectfully requested.

As reiterated by the Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550

U.S. 398, 82 USPQ2d 1385 (2007), the framework for the objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). Obviousness is a question of law based on underlying factual inquiries. The factual inquiries are: (a) determining the scope and content of the prior art; (b) ascertaining the differences between the claimed invention and the prior art; and (c) resolving the level of ordinary skill in the pertinent art. (See *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007); *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966); see also MPEP § 2141). The Supreme Court in *KSR* also noted that the analysis supporting a rejection under 35 U.S.C. § 103 should be made explicit. The court stated that “rejections on obviousness cannot be sustained by mere conclusory statements; instead there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” (See *KSR*, 550 U.S. at 398, 82 USPQ2d at 1396; see also MPEP § 2141).

Stille describes a shared radio network 6. (See Stille at paragraph 0021). A mobile terminal (MT) 2 contacts the shared radio network 6 which is owned by operators of which one operator is the one that the MT 2 is subscribed to. There, one Node-B 1 is contacted, where the Node-B 1 is connected to a Radio Network Controller (“RNC”) 7. (See Stille at paragraph 0021). Stille further describes two MT’s 4 and 5, which are subscribed to operator X and operator Y, respectively. Operator X has an agreement with operator A, and operator Y has an agreement with operator B. According to Stille, MT 4 establishes a PDP context with the Gateway GPRS Support Node (“GGSN”) in the network of operator A, and MT 5 establishes a PDP context with the GGSN in the network

of operator B. (See Stille at paragraph 0031).

Anderson discusses a wireless telecommunication system. (See Anderson at col. 3, lines 21-23). In the wireless telecommunication system, service providers are classified into five categories including a home service provider, a partner service provider, a favored service provider, a forbidden service provider, and a neutral service provider. When a mobile station is located on or near an edge of coverage areas of multiple operators, the mobile station selects the best service provider by comparing system identities or system operator codes transmitted by the service providers. (See Anderson at col. 3, lines 39-43, 53-65).

As will be discussed below, the combination of Stille and Anderson fails to disclose or suggest all of the elements of the claims. Furthermore, as will also be discussed below the Final Office Action fails to provide an articulated reason as to why the claims would have been obvious to one of ordinary skill in the art, at the time the present invention was made, in light of Stille and Anderson. Thus, this rejection is in error, and claims 1-2 and 4-29 should all be found to meet the U.S. requirements for patentability under 35 U.S.C. § 103.

i) Claim 1

Claim 1, upon which claims 2, 4, and 23 are dependent, recites a method, which includes maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node. The method further includes selecting a gateway network node for a mobile station served by the

serving network node on the basis of the partner information. The selecting of the gateway network node for the mobile station on the basis of the partner information includes checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of a home network, and selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, teach, or suggest, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1.

The Final Office Action correctly concluded that Stille fails to disclose or suggest the aforementioned limitation. (See Final Office Action at page 5). Furthermore, Anderson does not cure the deficiencies of Stille. Anderson describes a mobile station 24 located in a first coverage area 26 associated with a first service provider 12. The mobile station 24 utilizing a roaming procedure to determine the particular classifications of the service providers 12, 14, and 16. The mobile station 24 further utilizes the roaming procedure to select a best service provider based on a hierarchy of the classified service providers. (See Anderson at col. 3, lines 53-65; Fig. 1). Thus, Anderson merely describes selecting an access point (such as a base station) of a network (such as a partner network) for accessing a radio access network, where multiple radio access networks are at least partly overlapping. (See Anderson at col. 2, lines 42-46). Anderson fails to disclose, or suggest, selecting a gateway network node of a home

network if a mobile station is in a predefined partner network of the home network as required by the independent claims. Therefore, even if a person of ordinary skill in the art were to combine the solution of Stille with the solution of Anderson, at the time the present invention was made, the person of ordinary skill in the art would not have arrived at the present invention where a gateway network node of a home network is selected for the mobile terminal. Instead, one of ordinary skill in the art would have arrived at a solution in which the mobile terminal would be able to select an access point (such as a base station) of the partner network for accessing a radio access network of the partner network in case of overlapping networks, in which a separate shared network comprising a shared Serving GPRS Support Node ("SGSN") could be used for delivering packets.

The Advisory Action maintained the position that Anderson does teach "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in independent claim 1. Specifically, the Advisory Action alleged that Anderson teaches classifying service providers such as home service provider and partner service provider, and then selects the best service provider. The Advisory Action further alleged that if a selection is made using the best service provider, a node has to be selected in order to provide the mobile station with service. (See Advisory Action at page 2). Applicants respectfully submit that this position is incorrect. Anderson merely describes a mobile station which is capable of selecting an access point of a service provider in a scenario where one or more service providers overlap. Anderson does not in any way relate to selecting a gateway network node of a home network in a network apparatus. Instead, Anderson

merely relates to selecting a radio channel in a mobile station.

The Advisory Action also alleged that Stille teaches the aforementioned limitation. (See Advisory Action at page 2). As a threshold matter, this position clearly contradicts the Final Office Action's admission that Stille fails to disclose or suggest the aforementioned limitation. (See Final Office Action at page 5). Such contradictory positions clearly imply that the final rejection was made prematurely, and thus, the rejection should be withdrawn and a new Office Action should be issued in order for the Examiner to clarify his position. Furthermore, Applicants respectfully submit that Stille fails to disclose or suggest the aforementioned limitation. Stille describes that four mobile terminals (MTs) 2, 3, 4, 5, are located in a shared radio network 6. MTs 2, 3, 4, and 5 contact an Switching GRPS Support Network (SGSN) 9 in a shared network owned by two operators A and B. The SGSN 9 of the shared network contacts home location registers (HLRs) 10 and 11 in order to determine which access point name (APN) MTs 2 and 3 may use. Once HLRs 10 and 11 indicate that MTs 2 and 3 may use APNs 12 and 13, the SGSN switches the MTs 2 and 3 to the correct Gateway GPRS Support Nodes (GGSNs) 16 and 17. (See Stille at paragraphs 0021-0022 and 0030). However, Stille fails to disclose or suggest that the shared network is a predefined partner network of the home network of MT2 and the home network of MT3. Instead, Stille merely describes that the owners of the home networks of MT2 and MT3 are also owners of the shared network. (See Stille at paragraph 0021).

Furthermore, Applicants submit that it would not have been obvious to combine the cited references of Stille and Anderson, because an embodiment of the present

invention provides advantages that are not found in either Stille or Anderson. For example, an advantage of an embodiment of the present invention over Stille is that in the embodiment of the present invention, the visited SGSN and the visited GGSN are in the same PLMN, whereas the solution by Stille is only applicable to situations where the visited SGSN and the visited GGSN are in different PLMNs, thus requiring the establishing of a new separate shared network comprising a shared SGSN. (See Stille at paragraphs 0006-0008). As another example, an advantage of an embodiment of the present invention over Anderson, is that the embodiment of the present invention is also applicable to situations where the home network and the partner network are such a distance that they are not overlapping, whereas the solution by Anderson is only applicable to situations where the networks are at least partly overlapping. (See Anderson at col. 2, lines 42-46). Thus, it would not have been obvious to a person of ordinary skill in the art, at the time the present invention was made, to combine Anderson with Stille.

The Advisory Action maintained its position that it would have been obvious, at the time the present invention was made, to combine Anderson with Stille, alleging that Anderson and Stille are both concerned with selecting or locking on to a preferred network. (See Advisory Action at page 2). However the Advisory Action's position fails to take into consideration that Anderson and Stille are directed towards two distinct scenarios. While Anderson is directed to scenarios where the networks are at least partly overlapping, Stille is directed to scenarios where the visited SGSN and visited GGSN are in different PLMNs, and thus, require a separate shared network comprising

a shared SGSN. Thus, it would not have been obvious to a person of ordinary skill in the art, at the time the present invention was made, to combine Anderson with Stille.

Accordingly, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, teach, or suggest, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1. Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

ii) Claim 2

Claim 2 is dependent on claim 1, and recites further limitations. Thus, claim 2 is patentable at least for the reasons claim 1 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

iii) Claim 4

Claim 4 is dependent on claim 1, and recites further limitations. Thus, claim 4 is patentable at least for the reasons claim 1 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

iv) Claim 5

Claim 5, upon which claims 6-14 and 24 are dependent, recites a system, which includes at least one mobile station. The system further includes a subscriber register configured to maintain subscriber information of the mobile station. The system further includes at least two networks to which the mobile station connects when the mobile station is within the area of the network, one of the networks being a home network of the mobile station, the networks including at least one gateway network node to interact between packet switched mobile networks and external data networks. The system further includes at least one serving network node configured to serve the mobile station while the mobile station is in the area of the serving network node. The system is configured to maintain partner information about networks that are predefined partner networks of the home network, the home network sharing at least one serving network node with each of the predefined partner networks. The system is further configured to check, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network, and select, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, “select, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 5 for similar reasons as to why the combination of Stille and

Anderson fails to disclose, or suggest, at least, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

v) Claim 6

Claim 6 is dependent on claim 5, and recites further limitations. Thus, claim 6 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

vi) Claim 7

Claim 7 is dependent on claim 5, and recites further limitations. Thus, claim 7 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

vii) Claim 8

Claim 8 is dependent on claim 5, and recites further limitations. Thus, claim 8 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be

reversed and the claim allowed.

viii) Claim 9

Claim 9 is dependent on claim 5, and recites further limitations. Thus, claim 9 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

ix) Claim 10

Claim 10 is dependent on claim 5, and recites further limitations. Thus, claim 10 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

x) Claim 11

Claim 11 is dependent on claim 5, and recites further limitations. Thus, claim 11 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xi) Claim 12

Claim 12 is dependent on claim 5, and recites further limitations. Thus, claim 12

is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xii) Claim 13

Claim 13 is dependent on claim 5, and recites further limitations. Thus, claim 13 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xiii) Claim 14

Claim 14 is dependent on claim 5, and recites further limitations. Thus, claim 14 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xiv) Claim 15

Claim 15, upon which claims 25-26 are dependent, recites an apparatus, which includes a first routine configured to maintain partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node. The

apparatus further includes a second routine configured to check the partner information of the mobile station. The apparatus further includes a third routine configured to indicate, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. The apparatus further includes a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. The apparatus further includes an indicator configured to indicate the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, “an indicator configured to indicate the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 15 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xv) Claim 16

Claim 16, upon which claims 17-18 are dependent, recites an apparatus, which

includes a first routine configured to check partner information about networks that are predefined partner networks of a network, the partner network and a home network sharing the apparatus. The apparatus further includes a second routine configured to select a gateway network node on the basis of the partner information. The apparatus further includes a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. The apparatus further includes a selector configured to select the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, “a selector configured to select the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 16 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xvi) Claim 17

Claim 17 is dependent on claim 16, and recites further limitations. Thus, claim 17

is patentable at least for the reasons claim 16 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xvii) Claim 18

Claim 18 is dependent on claim 16, and recites further limitations. Thus, claim 18 is patentable at least for the reasons claim 16 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xviii) Claim 19

Claim 19 recites an apparatus, which includes partner information checking means for checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing the apparatus. The apparatus further includes selecting means for selecting a gateway network node on the basis of the partner information. The apparatus further includes checking means for checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. The apparatus further includes predefined partner network selecting means for selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that

Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, “predefined partner network selecting means for selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 19 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xix) Claim 20

Claim 20 recites an apparatus, which includes maintaining means for maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node. The apparatus further includes partner information checking means for checking the partner information of the mobile station. The apparatus further includes gateway network node indicating means for indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. The apparatus further includes checking means for checking on the basis of the partner

information whether a mobile station is in a predefined partner network of the home network. The apparatus further includes predefined partner network indicating means for indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, “predefined partner network indicating means for indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 20 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, “selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network,” as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xx) Claim 21

Claim 21 recites a method, which includes checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node. The method further includes selecting a gateway network node on the basis of the partner information. The method further includes checking, in a network apparatus, on the basis of the partner information

whether a mobile station is in a predefined partner network of the home network. The method further includes selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 21 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xxi) Claim 22

Claim 22 recites a method, which includes maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node. The method further includes checking the partner information of the mobile station. The method further includes indicating, on the basis of the partner

information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station. The method further includes checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network. The method further includes indicating, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, "indicating, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 22 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xxii) Claim 23

Claim 23 is dependent on claim 1, and recites further limitations. Thus, claim 23 is patentable at least for the reasons claim 1 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be

reversed and the claim allowed.

xxiii) Claim 24

Claim 24 is dependent on claim 5, and recites further limitations. Thus, claim 24 is patentable at least for the reasons claim 5 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xiv) Claim 25

Claim 25 is dependent on claim 15, and recites further limitations. Thus, claim 25 is patentable at least for the reasons claim 15 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xv) Claim 26

Claim 26 is dependent on claim 15, and recites further limitations. Thus, claim 26 is patentable at least for the reasons claim 16 is patentable, and further, because it recites additional limitations. Accordingly, it is respectfully requested that this rejection be reversed and the claim allowed.

xvi) Claim 27

Claim 27 recites a computer program product which includes a computer program

embodied on a computer readable medium. The computer program is configured to cause, if the program is executed, an apparatus to perform at least, maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node, and selecting a gateway network node for a mobile station served by the serving network node on the basis of the partner information. The selecting of the gateway network node for the mobile station on the basis of the partner information includes checking on the basis of the partner information whether a mobile station is in a predefined partner network of a home network, and selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, "selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 27 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xvii) Claim 28

Claim 28 recites a computer program product which includes a computer program embodied on a computer readable medium. The computer program is configured to cause, if the program is executed, an apparatus to perform at least, checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, selecting a gateway network node on the basis of the partner information, checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network, and selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 28 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

xviii) Claim 29

Claim 29 recites a computer program product which includes a computer program embodied on a computer readable medium. (Specification at least at page 6, lines 12-18). The computer program is configured to cause, if the program is executed, an apparatus to perform at least, maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node (Specification at least at page 5, lines 28-30, Figures 1 and 2), where the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node (Specification at page 4, lines 25-36, Figure 1, "SGSN1," "SGSN2"), checking the partner information of the mobile station (Specification at page 8, lines 32-34, and page 4, lines 33-36, Figures 3 and 4), indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station (Specification at page 8, lines 34-36, and page 9, line 36 – page 10, line 6, Figures 3 and 4), checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network (Specification at least at page 7, lines 3-17, Figure 2), and indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network. (Specification at least at page 7, lines 3-17, Figure 2).

While each of the claims have their own scope, Appellants respectfully submit that Stille and Anderson, whether considered individually or in combination, fail to disclose, or suggest, at least, "indicating the gateway network node of the home network if the

mobile station is in a predefined partner network of the home network," as recited in claim 29 for similar reasons as to why the combination of Stille and Anderson fails to disclose, or suggest, at least, "selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network," as recited in claim 1, as discussed in Section VII, i.

Therefore, it is respectfully requested that this rejection be reversed and the claim allowed.

For all of the above noted reasons, it is strongly contended that certain clear differences exist between the present invention as claimed in claims 1-2 and 4-29 and the prior art relied upon by the Examiner. It is further contended that these differences are more than sufficient that the present invention would not have been obvious to a person having ordinary skill in the art at the time the invention was made.

This final rejection being in error, therefore, it is respectfully requested that this honorable Board of Patent Appeals and Interferences reverse the Examiner's decision in this case and indicate the allowability of application claims 1-2 and 4-29.

In the event that this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees which may be due with respect to this paper may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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Enclosures: Appendix 1 - Claims on Appeal
Appendix 2 - Evidence
Appendix 3 - Related Proceedings

APPENDIX 1

CLAIMS ON APPEAL

1. (Previously Presented) A method, comprising:

maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node, and

selecting a gateway network node for a mobile station served by the serving network node on the basis of the partner information,

wherein the selecting of the gateway network node for the mobile station on the basis of the partner information comprises

checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of a home network; and

selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

2. (Previously Presented) A method according to claim 1, wherein the partner information comprises direct or indirect indications of

the network in which the mobile station is located, and of

the home network of the mobile station.

3. (Cancelled)

4. (Previously Presented) A method according to claim 1, wherein the selecting a

gateway network node for the mobile station on the basis of the partner information comprises

checking on the basis of the partner information whether the mobile station is in a network that is a predefined partner network of the one belonging to its home network operator; and

selecting the gateway network node of a visited network if the mobile station is in a network that is a predefined partner network of the one belonging to its home network operator.

5. (Previously Presented) A system, comprising:

at least one mobile station;

a subscriber register configured to maintain subscriber information of the mobile station;

at least two networks to which the mobile station connects when the mobile station is within the area of the network, one of the networks being a home network of the mobile station, the networks comprising at least one gateway network node to interact between packet switched mobile networks and external data networks;

at least one serving network node configured to serve the mobile station while the mobile station is in the area of the serving network node,

wherein the system is configured to maintain partner information about networks that are predefined partner networks of the home network, the home network sharing at least one serving network node with each of the predefined partner networks;

wherein the system is further configured to

check, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network, and

select, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

6. (Previously Presented) A system according to claim 5, wherein the partner information is maintained in the serving network node to indicate the networks sharing the serving network node.

7. (Previously Presented) A system according to claim 6, wherein the serving network node is configured to compare the mobile network code/mobile country code of the mobile station, in connection with the context activation of the mobile station, with access point name operator identifiers stored for each network operator sharing the serving network node, said mobile network code/mobile country code indicating explicitly the home network of the mobile station and said access point name operator identifier indicating implicitly the partner information.

8. (Previously Presented) A system according to claim 5, wherein the serving network node is also configured to connect a mobile station located in a mobile network that is a predefined partner network of its home network to the gateway network node of the home network.

9. (Previously Presented) A system according to claim 5, wherein the partner information is maintained in the subscriber register.

10. (Previously Presented) A system according to claim 9, wherein the subscriber register is configured to

check the partner information in connection with the location update of the mobile station;

set the value of a "Visitor-PLMN address allowed"-flag to 'No' if the mobile station is in a predefined partner network of the home network; and

indicate the value of the flag to the serving network node.

11. (Previously Presented) A system according to claim 5, wherein the serving network node is also configured to connect the mobile station located in a predefined partner network of its home network to the gateway network node of the home network.

12. (Previously Presented) A system according to claim 5, wherein the subscriber register is configured to

check the partner information in connection with the location update of the mobile station, the partner information comprising at least one network belonging to the home network operator;

set value of the "Visitor-PLMN address allowed"-flag to 'Yes' if the mobile station

is located in a network that is a predefined partner network of the one belonging to its home network operator; and

indicate the value of the flag to the serving network node.

13. (Previously Presented) A system according to claim 5, wherein the serving network node is also configured to connect the mobile station located in a predefined partner network of the one belonging to its home network operator to the gateway network node of the visited network on the basis of the partner information, the partner information comprising at least one network belonging to the home network operator.

14. (Previously Presented) A system according to claim 9, wherein the subscriber register is configured to

compare the mobile network code/mobile country code of the mobile station with access point name operator identifiers stored for each network operator sharing the network in connection with the location update of the mobile station; and

indicate the result of the comparison to the serving network node.

15. (Previously Presented) An apparatus, comprising:

a first routine configured to maintain partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, wherein the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node;

a second routine configured to check the partner information of the mobile station;

a third routine configured to indicate, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station;

a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

an indicator configured to indicate the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

16. (Previously Presented) An apparatus, comprising:

a first routine configured to check partner information about networks that are predefined partner networks of a network, the partner network and a home network sharing the apparatus;

a second routine configured to select a gateway network node on the basis of the partner information;

a checking unit configured to check on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

a selector configured to select the gateway network node of the home network if the mobile station is in a predefined partner network of the home network .

17. (Previously Presented) An apparatus according to claim 16, further comprising

a third routine configured to maintain partner information.

18. (Previously Presented) An apparatus according to claim 16, wherein the apparatus is a serving general packet radio service support node of a general packet radio service network.

19. (Previously Presented) An apparatus, comprising:

partner information checking means for checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing the apparatus;

selecting means for selecting a gateway network node on the basis of the partner information;

checking means for checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

predefined partner network selecting means for selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

20. (Previously Presented) An apparatus, comprising:

maintaining means for maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, wherein the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node;

partner information checking means for checking the partner information of the mobile station;

gateway network node indicating means for indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station;

checking means for checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

predefined partner network indicating means for indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

21. (Previously Presented) A method, comprising:

checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node;

selecting a gateway network node on the basis of the partner information;

checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

selecting, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

22. (Previously Presented) A method, comprising:

maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, wherein the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node;

checking the partner information of the mobile station;

indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station;

checking, in a network apparatus, on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

indicating, in the network apparatus, the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

23. (Previously Presented) A method according to claim 1, wherein the selecting of the gateway network node for the mobile station on the basis of the partner information comprises

checking on the basis of the partner information whether the mobile station is in the home network, in a predefined partner network of the home network, or in a network outside them;

selecting the gateway network node of the home network if the mobile station is in its home network; and

selecting the gateway network node of a visited network if the mobile station is

outside its home network or predefined partner mobile networks of its home network.

24. (Previously Presented) A system according to claim 5, wherein the system is configured to

check on the basis of the partner information whether a mobile station is in the home network, in a predefined partner network of the home network, or in a network outside them,

select the gateway network node of the home network if the mobile station is in its home network, and

select the gateway network node of a visited network if the mobile station is outside its home network or predefined partner mobile networks of its home network.

25. (Previously Presented) An apparatus according to claim 15, wherein

the checking unit is configured to check on the basis of the partner information whether a mobile station is in the home network, in a predefined partner network of the home network, or in a network outside them; and

the indicator is configured to indicate the gateway network node of the home network if the mobile station is in its home network, and to indicate the gateway network node of a visited network if the mobile station is outside its home network or predefined partner mobile networks of its home network.

26. (Previously Presented) An apparatus according to claim 16, wherein

the checking unit is configured to check on the basis of the partner information whether a mobile station is in the home network, in a predefined partner network of the home network, or in a network outside them; and

the selector is configured to select the gateway network node of the home network if the mobile station is in its home network, and to select the gateway network node of a visited network if the mobile station is outside its home network or predefined partner mobile networks of its home network.

27. (Previously Presented) A computer program product comprising a computer program embodied on a computer readable medium, the computer program being configured to cause, if the program is executed, an apparatus to perform at least the following:

maintaining partner information about predefined partner networks, the partner information indicating that network operators share a serving network node, and

selecting a gateway network node for a mobile station served by the serving network node on the basis of the partner information,

wherein the selecting of the gateway network node for the mobile station on the basis of the partner information comprises

checking on the basis of the partner information whether a mobile station is in a predefined partner network of a home network; and

selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

28. (Previously Presented) A computer program product comprising a computer program embodied on a computer readable medium, the computer program being configured to cause, if the program is executed, an apparatus to perform at least the following:

- checking partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node;

- selecting a gateway network node on the basis of the partner information;

- checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

- selecting the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

29. (Previously Presented) A computer program product comprising a computer program embodied on a computer readable medium, the computer program being configured to cause, if the program is executed, an apparatus to perform at least the following:

- maintaining partner information about networks that are predefined partner networks of a network, a partner network and a home network sharing at least one serving network node, wherein the serving network node is configured to serve a mobile station while the mobile station is in the area of the serving network node;

checking the partner information of the mobile station;

indicating, on the basis of the partner information, the gateway network node, to which the mobile station is to be connected, to the serving network node serving the mobile station;

checking on the basis of the partner information whether a mobile station is in a predefined partner network of the home network; and

indicating the gateway network node of the home network if the mobile station is in a predefined partner network of the home network.

APPENDIX 2

EVIDENCE APPENDIX

No evidence under section 37 C.F.R. 1.130, 1.131, or 1.132 has been entered or will be relied upon by Appellants in this appeal.

APPENDIX 3

RELATED PROCEEDINGS APPENDIX

No decisions of the Board or of any court have been identified under 37 C.F.R.

§41.37(c)(1)(ii).